



Entered on Docket
August 24, 2011


Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Sixth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Whole or In Part Upon
Investment In The Mountain House Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Mountain House Loan." ("Mountain House Loan") [DE 8552] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Mountain House Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8552] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Mountain House Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)
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13 John Hinderaker (*pro hac vice*)
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19 *Attorneys for USACM Liquidating Trust*
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1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
document]:

10 Counsel appearing: _____

11 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
12 copy of this order with the motion pursuant to LR 9014(g), and that
no party has objected to the form or content of the order

14 U.S. Trustee: _____	
15 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
17 Other Party: _____	
18 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
19 <input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

21 Submitted by:

22 LEWIS AND ROCA LLP

23 By: */s/ John Hinderaker. (AZ #018024)*

24 Attorneys for USACM Liquidating Trust

26 # # #

**USACM Trust
Mountain House
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Mountain House Business Park Loan
10725-02273	12/11/2006	Louise Teeter IRA Rollover	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	898,523.18	50,000.00
10725-02178	12/11/2006	Marshal Brecht Trust Dtd 2/5/86	Marshall J & Janet L Brecht Trustees 640 Colonial Cir Fullerton, CA 92835	3,418,022.00	200,000.00
10725-00604	12/11/2006	Mcdowell, Chester R	2715 E East Avenue Q-6 Palmdale, CA 93550-4147	527,702.18	100,000.00
10725-02037	12/11/2006	Miller Trust Dated 8/13/87	Gary I & Barbara Miller Tees 2832 Tilden Ave Los Angeles, CA 90064	1,111,366.00	50,000.00
10725-01208	12/11/2006	Monighetti, Pete	6515 Frankie Ln Prunedale, CA 93907	1,509,963.55	50,000.00
10725-00221	12/11/2006	Mullin, Elaine	3115 Merrill Dr #37 Torrance, CA 90503	220,000.00	50,000.00
10725-01998	12/11/2006	Murray Trust	C/O Aimee E Kearns Trustee 5886 N Bonita Vista St Las Vegas, NV 89149-3911	729,435.88	160,000.00
10725-02044	12/11/2006	Naylon, Dominique	Po Box 2 Topaz, CA 96133	1,168,297.62	100,000.00
10725-02026	12/11/2006	Nevins Jt Ten, Richard & Michele	1547 Bob Goalby LN El Paso, TX 79935	2,798,759.62	140,000.00
10725-02487	12/11/2006	Newby 1984 Family	Trust Dated 3/19/84 C/O C E Newby & Carole Newby Trustees 5209 Elm Grove Dr. Las Vegas, NV 89130-3669	345,000.00	100,000.00

EXHIBIT A